

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 27, 1982

PRESENT:

Grant S Nielson	Mayor
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

ABSENT:

Max Bennett	Council Member
Don Bird	Council Member

OTHERS PRESENT:

Vance Bishop	City Administrator
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
John Quick	City Engineer
Neil Forster	Public Works Superintendent
Pat Davies	City Clerk
Clinton Tolbert	Cindy Corbin
Corrine Murphy	Gilbert Trujillo

Mayor Nielson called the meeting to order at 8:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

The minutes of a regular City Council meeting held September 20, 1982 were presented to the Council Members. Councilman Don Dafoe MOVED to accept the minutes as corrected. Council Member Ruth Hansen SECONDED the motion which carried unanimously.

The minutes of a special City Council meeting held September 23, 1982 (interviewing Police Chief applicants) were considered and approved as presented on a MOTION from Councilman Morrison and a SECOND from Councilman Dafoe. The motion carried unanimously.

ACCOUNTS PAYABLE

The accounts payable were presented to the council members by Dorothy Jeffery. After discussion on the proper procedure for billing on the clean up of the Doolin property, Councilman Morrison MOVED to pay the bills as presented. The motion was SECONDED by Council Member Ruth Hansen and the motion carried unanimously.

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PROPOSED RESOLUTION: HIGHWAY 50-6 REALIGNMENT

City Attorney Warren Peterson explained the proposed resolution to those present. He said that when the highway realignment changing the "Y" to a "T" intersection was designed, there was land which was abandoned by the State. The State conveyed the abandoned highway to the City with the understanding that the City would deed the abandoned portion of the highway to individuals who own property adjacent to those parcels. Attorney Peterson said that this resolution, if passed, would authorize the Mayor to accept title for the City and to sign the deeds conveying the highway property and thereby complete a project started some time ago. Mr. Peterson stated that there are 8 deeds necessary to convey title to individuals and that those deeds are ready for signing.

Councilman Willis Morrison MOVED to adopt Resolution #82-79 entitled:

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF DELTA TO ACCEPT DELIVERY OF DEEDS FROM UTAH DEPARTMENT OF TRANSPORTATION CONVEYING REAL PROPERTY TO THE CITY OF DELTA AND TO EXECUTE DEEDS TO CONVEY REAL PROPERTY IN CONNECTION WITH THE REALIGNMENT OF THE INTERSECTION OF U.S. HIGHWAY 50 AND U.S. HIGHWAY 6 AT APPROXIMATELY 550 EAST MAIN STREET IN THE CITY OF DELTA.

Councilman Don Dafoe SECONDED the motion and the voting was as follows:

Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Aye

DELTA AREA CHAMBER OF COMMERCE: AMTRAK SHELTER

Gilbert Trujillo, President of the Delta Area Chamber of Commerce, told the Council Members of efforts to get Amtrak to stop in Delta. He stated that 866 signatures were received on a petition for passenger service and that letters in favor of the stop have been sent to the Chamber office from all over Millard County and also from people out of the immediate area. He further stated that Union Pacific has given tentative approval to the stop. Mr. Trujillo said the requirement for a 300 X 12 foot platform had been taken care of with a commitment from the County to resurface the existing platform which would then meet the Amtrak requirement. Mr. Trujillo asked for the support of the City either in money or manpower to help build the passenger shelter required by Amtrak. He said that originally the cost estimate was \$16,000.00, but that a shelter like the one in Milford, which is considered adequate by Amtrak, would probably cost around \$3,000.00. Pictures of the shelter in Milford were shown to the Council Members. Councilman Morrison suggested that the Chamber should come up with some firm figures on the shelter before a commitment is made by the City to spend money on the project. It was decided by the Council Members that Mr. Trujillo should meet with the City Administrator and when it is decided if money or the use of

equipment and manpower is needed, then it should be brought back to the Council for consideration. The Council and Mayor indicated approval of the Amtrak stop.

DISCUSSION: LIBRARY, COUNCIL MEMBER HANSEN

Council Member Ruth Hansen reported a meeting with Amy Owens at the State Library Board in which she learned that a library in a City the size of Delta should have at least 2,000 square feet of floor space and the present City library has about 1,000 square feet shared by many other functions. Council Member Hansen made several suggestions including the forming of a library board and meetings with the public to find persons interested in improving the City library. Council Member Hansen agreed to attend a scheduled meeting with IPA, the Mayor and the City Administrator to make a plea for adequate space for a library in a new City Building.

FINALIZATION OF SEWER PROJECT PHASE I: JOHN QUICK

City Engineer John Quick reported to the Council that he has received a request for final payment from Hurricane Sand & Gravel on Phase I of the sewer improvement project. Mr. Quick stated that the project is still not final; one section is yet to be finally inspected with a television inspection system and that some of the telemetering equipment hasn't yet arrived. There was discussion on whether to charge the contractor for actual costs incurred due to his failure to meet the construction schedule rather than liquidated damages as provided in the contract, the fact that some local suppliers have not been paid, and also the fact that the performance bond and payment bond are still in place and can be used if needed. It was suggested that the minutes of the meeting where an extension of time was granted to Hurricane Sand & Gravel be researched to determine the agreement made by the City.

NORTHEAST ANNEXATION: DISCUSSION

Mrs. Corrine Murphy, Delta Estates property owner, stated that no further progress has been made with her group and so there was nothing to discuss concerning the proposed annexation.

OTHER BUSINESS

Mr. Clinton Tolbert reported to the Council that he has some problems with water runoff and backup into his home. He suggested that some ditch cleaning and extensions of ditches and drainage lines might help the situation. It was pointed out to Mr. Tolbert that the City would take care of problems on the City right-of-way but that since his house is lower than the street and gutter, he might consider building up some of the low places to keep the water out. It was agreed that the culvert between Mr. G's and Mr. Tolbert's property would be cleaned.

Mr. Bishop informed the Council that interviews of applicants for the

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position of Parks and Recreation Director are scheduled for Thursday evening and suggested that since there are 5 to be interviewed it might be better to begin the interviews earlier in the evening. The Council approved starting at 7:00 or 7:30, whichever would work out for those traveling long distances.

Councilman Morrison reminded the Council Members that there would soon be a second meeting with the County on fire department agreements and that the Council should meet prior to that meeting.

The City Attorney, Warren Peterson stated that he had the following items of business for the Council to consider:

1. Mr. Scott Chesley's claims for water damage have been denied by the City's insurance company. Mr. Peterson said that the City may wish to contact the insurance company to discuss handling of the claim.

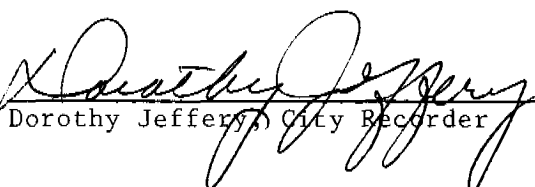
2. A request from the LDS Church to vacate an alley on Block 80 will be forthcoming. Mr. Peterson stated that the alley hasn't existed as a street for many years and if the property owners on both sides of the street do not object to the vacation, no public hearing needs to be held.


3. The closing on the acquisition of the Gardner well site will be Wednesday, September 29 which includes the purchase of a 20 ft. strip of property from Mr. Bent Mork. A lease back to Mr. Mork of the property was discussed and also the need to move Mr. Mork's corrals.

City Engineer John Quick reported to the Council that his office has completed a study funded by the Utah Energy Office and suggested a joint meeting with the Council and the Planning Commission to consider proposed changes to Delta City ordinances to promote energy conservation. A meeting was tentatively scheduled for October 6. Mr. Quick said that he would contact Mr. Jack Fowles, Chairman of the Planning and Zoning Commission.

There being no further business from the floor, at 9:45 Councilman Morrison MOVED that the Council enter a closed session for the purpose of discussing applicants for the Police Chief position. The motion was SECONDED by Council Member Hansen and carried unanimously. Mayor Nielson declared the meeting to be in closed session at 9:45 p.m.

At the conclusion of the closed session, Councilman Willis Morrison MOVED to reconvene to the regular meeting and Councilman Don Dafoe SECONDED the motion which carried unanimously. Council Member Ruth Hansen MOVED and Councilman Don Dafoe SECONDED a motion to adjourn. The Mayor adjourned the meeting at 10:33 p.m.


Dorothy Jeffery, City Recorder


Grant S Nielson, Mayor